

U.S. DISTRICT COURT
FILED AT WHEELING, WV
FEB - 7 2012
NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CURTIS L. SMELLEY,

Defendants.

Criminal No.

5:12-CR-3

Violations:

18 U.S.C. § 875(c)

18 U.S.C. § 2261(a)(1)

18 U.S.C. § 2261(b)(3)

INDICTMENT

The Grand Jury charges:

COUNT ONE

(Interstate Domestic Violence)

On or about June 4, 2011, at or near Wheeling, Ohio County, West Virginia, within the Northern Judicial District of West Virginia, and elsewhere, defendant **CURTIS L. SMELLEY** did knowingly and willfully travel in interstate commerce from the State of West Virginia to the State of Ohio with the intent to kill, injure, harass and intimidate an intimate partner S.G. and defendant **CURTIS L. SMELLEY** in the course of such travel did attempt to commit a crime of violence against S.G. using a dangerous weapon during the offense, in violation of Title 18, United States Code, Sections 2261(a)(1) and (b)(3).

COUNT TWO

(Interstate Communication of a Threat)

On or about June 4, 2011, at or near Wheeling, Ohio County, West Virginia, within the Northern Judicial District of West Virginia, and elsewhere, defendant **CURTIS L. SMELLEY** did knowingly and willfully transmit in interstate commerce any communication containing any threat to injure the person of another, to wit: S.G., in violation of Title 18, United States Code, Section 875(c).

A true bill,

/s/
Grand Jury Foreperson
(Signature on File)

/s/
WILLIAM J. IHLENFELD, II
United States Attorney